

Attorney Docket No. ESFT-001/00US

PATENT

Applicant or Patentee: eSoft, Inc.

Serial No.: 09/766,469

Filed: January 19, 2001

For: "SYSTEM AND METHOD FOR MANAGING APPLICATION SERVICE PROVIDERS"



**ASSERTION OF ENTITLEMENT TO SMALL ENTITY STATUS UNDER
37 C.F.R. §1.27 - SMALL BUSINESS CONCERN**

I hereby declare that I am:

the owner of the small business concern identified below;
 an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Small Business Concern: Esoft, Inc.
Address of Small Business Concern: 295 Interlocken Blvd.
Suite 500
Broomfield, CO 80021

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. §121 for purposes of paying reduced fees under 35 U.S.C. §§41(a) and (b), in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both;

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled and described in:

the specification filed herewith;
 the application identified above; or
 the patent identified above;

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 C.F.R. §1.27(a)(1) or by any concern which would not qualify as a small business concern under 37 C.F.R. §1.27(a)(2) and 13 C.F.R. §121 or a nonprofit organization under 37 C.F.R. §1.27(a)(3):

*NOTE: Please obtain separate Assertions of Entitlement to Small Entity Status from each named person, concern or organization having rights to the invention averring to their status as small entities.

Name: Esoft, Inc.
Address: 295 Interlocken Blvd., Suite 500, Broomfield, CO 80021

Individual Small Business Concern Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. §1.27(g))

Signature



Date

JUNE 13, 2005

Name of Person Signing

Jeffrey L. Finn

Title of person other than owner

President & CEO

Address of person signing

295 Interlocken Blvd., Suite 500, Broomfield, CO 80021